

1 J. Noah Hagey, Esq. (SBN: 262331)
2 hagey@braunhagey.com
3 Adam S. Cashman, Esq. (SBN: 255063)
4 cashman@braunhagey.com
5 Greg Washington, Esq. (SBN: 318796)
6 gwashingt@braunhagey.com
7 BRAUNHAGEY & BORDEN LLP
8 747 Front Street, 4th Floor
9 San Francisco, CA 94111
10 Tel.: (415) 599-0210

11 Faith Barksdale, Esq. (*pro hac vice* admission)
12 barksdale@braunhagey.com
13 BRAUNHAGEY & BORDEN LLP
14 118 W 22nd Street, 12th Floor
15 New York, NY 10011
16 Tel.: (646) 829-9403

17 [Other counsel of record indicated on docket.]

18 *Attorneys for Defendants / Counter-Plaintiffs*
19 IMPOSSIBLE LLC and JOEL RUNYON

20 UNITED STATES DISTRICT COURT

21 NORTHERN DISTRICT OF CALIFORNIA

22 SAN JOSE DIVISION

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IMPOSSIBLE FOODS INC.,
Plaintiff / Counter-Defendant,
v.
IMPOSSIBLE LLC and JOEL RUNYON,
Defendants / Counter-Plaintiffs.

Case No. 5:21-cv-02419-BLF (SVK)

**DECLARATION OF ADAM S.
CASHMAN REGARDING ECF NOS.
185, 186, and 187**

1 I, Adam Cashman, declare as follows:

2 1. I am licensed to practice before this Court. I am a partner of the law firm of
3 BraunHagey & Borden LLP, counsel of record for Defendant/Counterclaim-Plaintiff Impossible
4 LLC (“Impossible LLC”) and Joel Runyon. I make this declaration based on personal knowledge.
5 If called as a witness, I could and would testify competently to the facts stated herein.

6 2. Impossible LLC was unable to file ECF Nos. 185, 186, and 187 by 11:59 a.m.
7 because of technical difficulties that arose with finalizing the joint statements.

8 3. When Impossible LLC received Impossible Foods’s portions of the joint statements
9 at 10:12 a.m., attorneys and staff immediately started working to finalize the joint statements and
10 incorporate the new exhibits into the filing. However, in finalizing the Joint Statement on
11 Impossible Foods’s Interrogatory and RFP Responses in Microsoft Word, a series of technical
12 difficulties arose. Specifically, the text and pleading paper were misaligned and our efforts to re-
13 format the document to align the text with the line numbers only created additional formatting
14 issues with the document. Our staff then reverted to a prior version of the joint statement and
15 transferred the joint statement text, but that apparently corrupted the formatting of that version of
16 the document. After efforts to recover that document were unsuccessful, our office re-created the
17 pleading from scratch and incorporated the parties’ portions of the joint statements into a PDF and
18 filed as soon as possible.

19 4. Unfortunately, our office also experienced similar formatting issues with the Joint
20 Statement Regarding Further Inquiry into Impossible Foods Inc.’s Deletion of the Emails and
21 Custodial Documents of Myra Pasek and Jordan Schenck, which also required our office to
22 reconstruct that document before filing. Because that document was the subject of an
23 administrative motion to seal, the process to reconstruct the document further delayed our ability to
24 finalize the PDF, redact the relevant portions of the statement, and file the sealing papers.

25 5. Throughout the process, attorneys and staff worked diligently to address the issues
26 but were unable to resolve them prior to the Court’s deadline. We regret that we were unable to
27 overcome these technical issues before the deadline and would respectfully request that the Court
28 accept and consider the Motions on their merits notwithstanding that they were untimely filed.

1 I swear under penalty of perjury under the laws of the United States that the foregoing is
2 true and correct.
3

4 Dated: April 23, 2025

BRAUNHAGEY & BORDEN LLP

5 By: /s/ Adam S. Cashman
6 Adam S. Cashman

7 *Attorneys for Defendants / Counter-Plaintiffs*
8 *Impossible LLC and Joel Runyon*

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